

Please amend the claims as follows:

1. (Currently Amended) In combination with a fill and drain whirlpool bathtub having a water pump, closed loop piping system and output jets, further comprising:
a housing having an input orifice and an output orifice and a flange to provide a mount to a tub wall and a threaded portion that extends through an opening in a tub; said housing having a sloped lower shelf that extends below the output orifice and provides for water in at least a segment of a closed loop plumbing system to efficiently drain through said housing into a tub; a faceplate having water flow through passages and drainage openings in the lower peripheral edge of the faceplate; wherein said faceplate is designed specifically for said housing; wherein said faceplate is configured to resist body entrapment when high velocity water is passing through said faceplate; and wherein said water flow through passages are sized and positioned to resist hair entrapment when high velocity water is passing through said faceplate.
2. (Currently Amended) In combination with a fill and drain whirlpool bathtub having a water pump, closed loop piping system and output jets, further comprising:
a housing having an input orifice and an output orifice and a flange for providing a mount to a tub wall; a threaded portion that extends through an opening in a tub; said housing having a sloped lower shelf that provides for water in at least a segment of a closed loop plumbing system to efficiently drain through said housing into a tub; a faceplate having water flow through passages and drainage openings in the lower peripheral edge of the faceplate; said faceplate designed specifically for said housing; said water flow through passages configured to resist hair entrapment when high velocity water passes through said faceplate; a threaded member that secures said faceplate to a housing; and wherein a threaded nut screws onto said threaded portion that

extends through an opening in a tub, from behind a tub wall surface, securing the housing to a tub wall.

3. (Currently Amended) In combination with a fill and drain whirlpool bathtub having a water pump, closed loop piping system and output jets, further comprising:
a housing having an input orifice and an output orifice and a flange providing a mount to a tub wall and a substantially round threaded portion that extends through an opening in a tub; said housing having a sloped lower shelf that provides for water in at least a segment of a closed loop plumbing system to efficiently drain through said housing into a tub; a faceplate having water flow through passages and drainage openings in the lower peripheral edge of the faceplate; and wherein said faceplate is designed specifically for said housing allowing the faceplate to resist body and hair entrapment when high velocity water is passing through said faceplate.
4. (Currently amended) The apparatus of claim 3, wherein said whirlpool bathtub has at least 6 output jets and at least one input suction device.
5. (Currently amended) The apparatus of claim 4, wherein said whirlpool bathtub retains less than about 6 ½ ounces of water after tub drain down.
6. (Currently amended) The apparatus of claim 3, wherein said whirlpool bathtub retains less than 6 ½ ounces of water.
7. (Currently amended) The apparatus of claim 3, wherein at least a segment of said housing or said faceplate is impregnated with an antimicrobial.

Please delete claims 8-21.

The IDS for US Publication No 2004/0025249 A1 to Desmond filed 6/19/2003. This is not prior art because of its filing date.

Desmond requires a connector 30 (separate support structure) behind cover 40. Then a cover 40 (faceplate) clips onto connector 30. The present invention does not require a

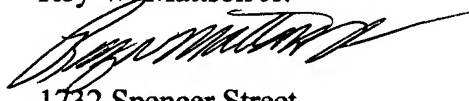
removable connector 30. The connector 30 (support structure) supports the faceplate. The present invention eliminates the need for removable connector 30.

U.S. Pat. No. 6,395,167 to Mattson et al. 2/26/01, which is incorporated by reference in the current Mattson patent application discloses a housing having a sloped lower shelf. The drainage slots are in the housing and not in the lower peripheral edge of the faceplate. The present invention has drainage slots in the faceplate and not the housing. U.S. Pat. No. 6,751,814 to Mattson et al. does disclose a sloped lower shelf with a faceplate only having drainage openings in the faceplate and not in the housing.

Applicants respectfully draw the examiners attention to U.S. application 10/870,091 filed 6-17-2004, which is a Continuation of U.S. Pat. No. 6,751,814. Also the examiners attention is respectfully drawn to U.S. application 10/979,406 filed 11-02-2004, which is a divisional of U.S. Pat. No. 6,751,814.

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I Philip I. Ogden state that I deposited this amendment express mail in the United States Post Office. Express Mail No. ED 348751585US

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